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MIDTERM ELECTIONS 2010:
DRIVING FORCES, LIKELY OUTCOMES, POSSIBLE CONSEQUENCES

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P R O C E E D I N G S

MR. DIONNE: I want to welcome everyone here today. My name is E.J. Dionne, I'm a senior fellow here at Brookings. I'm going to moderate. Those of you who care are stuck with my views in print a couple of times a week, so I don't have to say too much, and I will, of course, not be biasing this discussion in any way.

What you're going to get to share today is what I get to do every day. One of the great things about being here at the Brookings Institution is the opportunity to wander the hallways, and I learn more every day wandering the hallways of this place, or occasionally imposing myself in the office of one of these distinguished folks than you can imagine. You know, 5 or 10 minutes and I have a philosophical overview, new data, great information on policy, and so that's what we're sharing with you today.

I'm just going to make three quick points to open up this discussion and then introduce our distinguished panel. I was thinking about this panel over the weekend and was going to say, and I do believe that 2010 is an extremely consequential election, and I started thinking about it, and I could have said that of every presidential or midterm election we have had since 1992, I think it would have been true. Now, you and the panel will be relieved to know I am not going to go through every single election since 1992, but I think that what we have seen throughout this 18-year period is a continuing and quite fractious, in fact, extremely -- increasingly fractious struggle for power between Republicans and Democrats, conservatives and progressives, left and right.

As those years have gone on, that struggle has been aggravated by a series of events, the Clinton impeachment, the fight over Florida. I promise, I won't go there unless somebody asks. Then the divisiveness, the fact that the country fractured over the Iraq war, and now the worst economic downturn we've had since the Great

Depression.

When you think about this whole long period, the largest percentages won by either side were Barack Obama's nearly 53 percent in 2008 and Democrats in the '06/'08 midterms a little bit more than that. Those are healthy majorities, but they are by no means dominant majorities. And I think we're dealing with a fact of life that we don't have a dominant majority in the country yet, as we have had at other moments in our history. And so this election is I think a particularly harsh example of what's been going on for quite some time.

The second point I will do briefly, this is the first election we've had under the Citizens United decision by the Supreme Court, which has unleashed -- the standard account is corporate and labor money with really very few restrictions.

So the fact of the matter is, this is mostly corporate and conservative money. The best estimates -- and Michael McDonald and Tom Mann particularly, but our entire panel know a lot about this -- the best estimates are that the conservative corporate money has about an 8-to-1 advantage over the liberal and labor money, and we're going to see how much impact that has on the election. I think you can already see some races in which that money has had an impact, but that's a big deal.

The third point I want to make is, we are a distinguished policy-oriented think tank, so we don't do horse races. However, as my distinguished retired colleague, Jack Germond, once said in defense of horse race journalism, the first question everybody always asks you is, who's going to win? And I think there are actually two views floating around, in a broad sense, on this election. The first view is the Republican wave view. This view -- according to this view, this is a -- going to be a Republican year. Folks who hold this view say that the Republicans are very likely to take the House and

have a decent shot at the Senate.

The second view, which is my own view, just to be transparent about it, is that the election isn't over yet; that we have four weeks from tomorrow to go; that there are some signs of movement back toward the Democrats, the enthusiasm gap is closing; and that the Democrats will certainly take losses, but have a real shot at holding both houses of Congress.

Now, I don't know if our distinguished panel will want to take a shot at that particular issue. They may invent a third way, that is to say, it's too early to tell, which, in many ways, is the most rational view on this election. But that is how I see the argument over the outcome that's going on now. And I think the reason horse races can be interesting is because how you view the horse race often has a lot to do with how you view trends in the country. We'll see how that goes today.

You have packets with you with long bios of all of our participants, and I have in small print here the ordering. Our first speaker will be Tom Mann. Everybody knows Tom Mann. He is a W. Averell Harriman Chair and senior fellow in Governance Studies here at Brookings. He was director of Governance Studies, he was executive director of the American Political Science Association. He is the author of a very influential, well-reviewed book called *The Broken Branch*, that is about the Congress of the United States. And Tom will kick it off.

Then we will have, am I correct about this, Sarah Binder will come up next. Sarah is a senior fellow in Governance Studies at Brookings, she's a professor of political science at George Washington University, where she specializes in Congress and the Legislative Branch. She is the co-author, with Forrest Maltzman, with whom she has a very close connection, of a book called *Advice and Dissent: The Struggle to Shape*

the Federal Judiciary. Sarah is a real expert on the Senate filibuster, which, unfortunately, has become one of the most important facts about government in recent years.

Next will be Bill Galston, the Ezra K. Zilkha Chair in Governance Studies. He used to be the Saul Stern Professor and dean at the School of Public Policy at the University of Maryland. Bill is quite amazing, because his training is as a political philosopher. If academia were the building trades, that's where his union card would come. And yet Bill has written learnedly about all kinds of aspects of public policy. He is a polling junkie, as I am. He served in Bill Clinton's Administration, he's worked on a lot of campaigns. I won't go through the success and failure rate of those campaigns, but they were all excellent campaigns. I can't tell you how much I have learned from this distinguished gentleman over a very, very long period of time. That's true of the whole panel.

And then batting clean-up, because he's going to tell us what's going to happen over the next 10 years -- oh, Bill, by the way, will talk about what the policy implications will be of closer majority. Sarah will talk about the structure of Congress.

And then Michael will talk about the effect of this election on redistricting. This is a zero year, there has just been a Census. Some say that this election, because of redistricting, will shape politics in a large way for the next 10 years. Michael will support that view and also disabuse us of that view at the same time, I suspect.

So without further ado, I want to introduce my dear friend and colleague, Tom Mann.

MR. MANN: E.J., thank you very much. You mentioned how sort of close our politics really has been since 1994. That's absolutely true, but we've gone

through two phases. We had five elections in a row after the '94 elections in which there was little shift. In fact, we had huge incumbent reelection rates and very little shift in the standing of the parties, each of whom were really incremental.

And then starting in 2006, we started to have what we now call wave elections, in which there was strong national forces that ended up working to the advantage of one of the political parties.

We saw that in 2006, it was repeated in 2008, and now, by all evidence, we're about to have a third in a row, but this time reversing the direction of the first two. That's very unusual in our politics and worth taking note of.

I will briefly say something about an election forecast, then address the question, could it have been otherwise, and thirdly, tee up Sarah and Bill on the consequences of the election result. The first thing I want to say is a note of thanks to some of the people in this room, but the resources available for all of us to keep track of and understand elections in this cycle have dramatically improved. It is stunning the richness of web sites, from Nate Silver's 538, which has now moved over to *The Times; CQ* has always had a wonderful site. We have race handicappers Cook and Rothenberg, and those are available, but *The Times*, *The Post*, it's just really quite amazing.

And the sort of sophistication of some of the efforts to really marvel in, bring in national factors and local factors all of us draw on this, and therefore, there's no mystery. I think we can lay out pretty clearly what we know and what we don't know. And what we know, frankly, is that three factors that all of us accept as facts. And by the way, facts aren't ordinarily accepted anymore. Moynihan -- Senator Moynihan used to say everyone is entitled to his own opinion, but not his own facts. That's no longer true in our politics, but in this case, it is.

One, there is a traditional loss of seats in midterm by the President's party; two, there are a large number of Democratic seats at risk, partly because of the big victories in 2006 and 2008; and finally, the state of the economy is abysmal, objectively and subjectively. Those three factors alone would guarantee major pick-ups by the Republican Party, certainly enough to come close to majority status. So that is a reality, there's no mystery to it. It would be shocking if it were something other than that, it really would be. And yet much of the commentary and punditry is, oh, my god, what's happened here to this President? How has everything gone sour? You know, what will explain this great mystery?

It's not a mystery, it's likely. I think the weight of the evidence suggests that Republicans will pick up somewhere in the order of 35 to 50 seats, they need 39. Right now, most of the -- the best of the models, if they had to pick a point, it would be 45 seats. So I think Nate's estimate of a 2-in-3 chance of Republicans taking the majority is a good bet. But as he will tell you, the competence interval on that forecast is large, nothing is set in stone.

Similarly on the Senate, as best as we can tell, we're talking realistically of a range from 5 to 10 seats, and the sort of best bet is 7 or 8 on that, but there's always the chance of a tipping effect in a way that carries it all the way to 10 or even slightly above that. But again, I think Nate's estimate of probabilities of a 1-in-4 chance of Republicans taking the Senate is pretty good.

As far as the governors' races and state legislative races, Michael will talk about it, but as is typical in a wave election like this, they will move in a Republican direction, probably greater than 400 state legislative seats to the Republicans, and, in general, 7 to 10 governors' races. I think all of that is likely.

What we don't know, and E.J. suggested this, is that an absolute blowout, harkening back to numbers we last saw in the '40s and '50s, if you will, a really big gain, 65, 70 seats in the House, and a blowout like 1980 in the Senate that carries the Republicans to the majority, is it more in line with the sort of center -- centrist point predictions of a narrow Republican majority in the House and a narrow Democratic majority in the Senate, or somehow do Democrats manage to hold on by their fingernails, you know, losing only 38 or 37, and then desperately try to keep their most conservative members from defecting to the Republican caucus? I think all of those factors -- I mean, the frame is set, the playing field is set, the expectations are set. The only uncertainty is which way is it going to tip. There, it's turnout, it's money, it's the campaign frame which traditionally is a referendum in midterms. Can it be changed given the low public rating of the Republican Party, the sort of extreme elements of the Tea Party that will be used to sort of scare voters from doing this, and just the nature of the candidacies that are there? These are local races with some local issues.

The feeling all along has been the turnout will be such an advantage for the Republicans given the relative level of enthusiasm that they will roll over this that the effort to change the frame will be unsuccessful.

Initially it was thought money would be a Democratic advantage because their candidates and parties have done better, but, as E.J. said, the intervention of outside groups has, at the very worst for the Republicans, will even the money playing field, might give them an advantage. And on the candidate's side, it's a mixed story. Republicans have weak candidates, but some of them are in pretty safe Republican areas, and so they may survive. Anyways, those are the factors to keep an eye on.

The next question is, could it have been otherwise? That is, could we

imagine a situation if political actors, namely one political actor, President Obama, acted differently, could we be looking at just one of those middling elections like we saw between 1996 and 2004? What if he hadn't made those inflated campaign promises about post-partisanship? Did he have misguided priorities? So not focusing like a laser on the economy, was it ideological overreach that's been charged? Were there serious tactical failures in dealing with Congress? Was there a communications breakdown, a failure to craft a narrative from the beginning that would lead people that had realistic expectations of what could unfold?

Those are all really interesting arguments, and there's a colonel of truth in each of them, but I would argue, none of them is persuasiveness in the end. Maybe in the course of our discussion we'll have an opportunity to return to this, but I would argue that, in many respects, Obama was balancing other factors and the choices he made were entirely reasonable ones. And there's not much evidence, had he acted as the critics suggested, that the economy would be in any different shape, and, therefore, that the basic frame of this election would be different.

If there was something he could have done to create faster growth and more private sector jobs or more jobs generally, that he could have proposed and gotten enacted through the Congress, then, yes, that would have made a difference. If he could have prevented the Republicans from adopting an automatic filibuster and engaging in negotiations with them, and, therefore, diminishing the unified critique of everything he did at the margin, that would have made a difference.

But I submit to you, he probably pushed the system as far as it could go in policy terms, and there wasn't any hope, as he learned over a series of months, of enticing Republicans into the negotiation. So, in my view, the answer to that question is,

no, except at the margin, and it wouldn't have made a difference.

Finally, consequences. I don't think the outcome of this election will have any bearing on the presidential election prospects. If growth picks up at three percent or greater and we begin having real job growth, we get to 8 percent, the odds are Obama will be reelected. If we enter a period of terrible stagnation, Franklyn Roosevelt couldn't get reelected.

So I think, in fact, while it will be very annoying to him to have to deal with the Republican House and maybe Senate, it doesn't -- and certainly damages his policy initiatives, it won't do that much I think to his political prospects. As for the nature of policy-making, I don't know what Sarah is going to say, but I would conclude that the arguments made about the post-'94 election and the coming together and crafting beautiful policy between President Clinton and the Republican Congress are a bit detached from the realities of that period, and with the intense polarization that we have seen, I'm looking for war, not peaceful policy-making.

MR. DIONNE: Thank you. Have you noticed Brookings is the only place where you will ever hear the phrase "beautiful policy?" That's a wonderful thing.

And I just want to say I think on this panel, from my hallway conversations, we may have differences on a number of these things. One is the prediction, one is could Obama have done more, and one is two years of investigations will have absolutely no impact on the 2012 elections, but we can talk about that. Thank you, Tom, for that great presentation.

Sarah.

MS. BINDER: Sure. On Tom's bright note of coming to war, I'll just move on from there. I mean, I have to give us a sense of congressional dynamics under

either shrunken Democratic majorities or divided party control, presumably, as Tom said, the Republican House, presumably a Democratic Senate. So first I can say a little bit about legislating (inaudible) and divided government, a few thoughts then on governing with small majorities, and then just wrap up with a few thoughts on the impact of elections on the Senate and its particular responsibilities.

So first in terms of divided government, conventional wisdom for a very long time was that unified party control was essential for securing major policy change. We would look to the New Deal, we would look to the Great Society, right, these moments of landmark law-making that occurred in periods of unified party control.

Why? Well, traditionally we always said that it took -- that parties would be this glue, right, this sharing of policy interest across the branches, a sharing of electoral interest across the branches, and you needed that commonality of interest in order to overcome the barriers imposed by the separation of powers.

And to just compare that to legislating and periods of divided government, right, where there's much less overlap typically in terms of the policies used, and electoral interest of the President and Congress would be at -- the most periods of divided government. Like any good conventional wisdom, its days were numbered. And after the period -- long period of divided government occurring in the 1970s, reoccurring in the 1980s, we had a little bit of unified control in the '90s before returning to a pattern of divided government in the 1990s, it led some scholars and observers of Congress to sort of rethink conventional wisdom and to reevaluate the impact of divided government,

The new wisdom I think by the middle of the 1990s was largely ones that divided government -- might not really matter particularly in terms of policy-making that a lot got done in periods of divided party control.

We can point most recently to the ’90s welfare reform, immigration reform from the ’80s, major environmental policy throughout that period, major trade laws. The reasoning here was that unified party control was not the magic bullet, that American parties are not these sort of government instruments, they are more like policy coalitions, and so there wasn’t any necessary connection between unified party control and periods of law-making, and that those large bipartisan majorities that are necessary for major policy change, that those could emerge in periods of unified or divided party control.

So the question for us looking ahead to the -- Congress is, well, which is it going to be? And there are -- you hear many folks argue that perhaps divided government could be that godsend for Obama. If Republicans take the House, we hear being argued that maybe that’s what Obama and the Republicans need to get everybody to the table, that, as Tom referenced, perhaps then Democrats won’t overreach, Republicans, on their side, can’t just be the party of know.

The *Wall Street Journal* this morning had a story about now we’re going to see some incremental policy suggestions coming from the White House. In fact, the underlying argument is that divided government perhaps can bring the parties together to legislate in the run up to a presidential election.

We have some spotty examples of this; Tom referenced one, the Clinton ’95/’96, where we got welfare reform, there were some environmental reforms in that period. And I should say, if we look historically, there’s no necessary connection between divided government and periods of presidential elections and stalemates. Sometimes we get productive congressmen, divided congressmen before an election, and sometimes we don’t. So there’s ample evidence of both ways. I would argue that for

a divided government to have this sort of annuitive effect, right, the sort of healing effect, where the parties come together, that two other factors have to be in place and that we don't have either of them, which doesn't seem likely.

First, there needs to be some evidence of a bipartisan political center, right. We can't have parties polarized along ideological and political partisan lines and expect the parties to come to the center, right. That ideological polarization pushes the parties apart on policy terms, and that partisan polarization, right, injects a sort of partisan team play into the recipe in congressional policy-making, so that even if there was middle ground in policy, there's this political incentive to disagree with one another, right.

So I don't really see much policy grounds on which just to bring the parties together, and there doesn't seem to be much electoral incentive for the parties to come together particularly in this period of high polarization.

So, first, I don't see the sort of partisanship of the polarization diminish enough to encourage policy-making in divided government. Second, the other fact I think we lose sight of is sort of the element of bicameral agreement, that the House and Senate sometimes can be quite close in policy terms, and that makes a difference in whether or not you get stalemate or get more productive congresses.

Close chambers ideologically find ways of agreeing with one another, but ideologically, divergent chambers tend to exacerbate gridlock. A Republican House and a Democratic Senate is hardly a recipe for cooperation.

Just think about House/Senate relations under Democratic Congresses that we just finished, right, this whole issue of this mistrust over health care reform, right. The House didn't trust the Senate, the Senate didn't trust the House, and -- in all these arguments about reconciliation and side cars and fixes, right. Why? Because the two

sides were not quite aligned on policy terms enough in even period of unified party control to make it work. It took quite a bit to get health care to happen in the end.

The same thing, debate over tax cuts, right, these incessant arguments about which chamber goes first. It's sort of an odd argument to have if you were aligned in policy terms. And so we can imagine that in a period of Republican House and Democratic Senate, that that type of bicameral seeing eye to eye is not really going to be there. Okay. So first, I'm a little less optimistic about sort of this human power of divided government. Second, legislating under shrunken majority, what if you end up with a Democratic Congress, but quite small in majority?

I think of this as sort of a mathematical property of small groups, they tend to be more cohesive, and that's certainly our expectation of thinking about a shrunken Democratic majority. The Democrats will lose seats that they picked up from basically Bush districts in '06 and '08, shed your more moderate conservative districts and you're left with a more cohesive, and in this case, more liberal Democratic Party. Just as the Republicans shrunk, they became more cohesive certainly than in the Senate.

So first, in the House, will it matter if Democrats keep majority, but they're smaller? In some ways, if they're more cohesive, it might not really matter, right. What matters is control of the Rules Committee and what matters is get to 18 votes to try to structure the floor.

I'm not so worried about Pelosi or Democrats as the type of troubles they find getting to 18 when they have such a large majority even if their margin of error is narrower under small majorities. The Senate, of course, is a different story. Here, party size matters a lot because of the 60 vote cloture rule. Getting to 60 votes with a

shrunken Democratic majority, that's complicated if you're at 52 votes, 53 votes, 54 votes, that's much harder. You can't just reach out to Olympia Snowe and negotiate with her or reach out to Scott Brown and negotiate if this was one of the bills on which he's decided to act like a Democrat.

If you have to reach pretty far into Republican ranks to get to 60, which means you're really moving beyond that core of 3 or 4 at best moderate Republican senators. Instead, my hunch is that you'll see Republicans dig in their heels. We'll see many more cloture votes, if that's possible, as Democrats repeated seek cloture, if only to put Republicans on record as voting against Democratic priorities.

Given polarization, given elections of 2012, there really shouldn't be a lot of incentives for Republicans to seriously move to the center. And think about poor Olympia Snowe who will face a right-wing Tea Party challenge on her right. Her incentive is probably to veer right, not to keep agreeing with the Democratic majority. Finally, just to wrap up, just one particular thing on Senate dynamics under either shrunken majorities or Republican majorities. Let's assume Democratic majority here first. I think there's value of thinking separately about the politics and advice and consent.

This is one area where elections do make a difference down to the state, right, even if the Democrats keep control of the Senate. Surely party control matters for who's in control in Executive Session, right, who decides which nominations to call with a confirmation.

But party control, when we're thinking about judges in particular, matters at that level of the state delegation, because the elections shape, right, whether it's a two Republican delegation, a two Democrat, or a split-party delegation.

And, of course, the judicial selecting judges look to the home state

Senate, and they want to look to a senator from their own political party both to help select judges, nominees, but also to smooth their way to confirmation.

If you look at the 10 basically most competitive Senate races, and we assume that the worst outcome for the Democrats, it looks like there are 8 races that could move, which are currently 2 Democrats, to a split. So think Pennsylvania, right, where there are two Democrats, where we could end up with one Democrat, one Republican. That's probably not a huge problem for Obama, right, he still has the Democratic Senator to look to, to help on judicial nominations.

And then there are just two states where we would turn from the worst case I think, from the Democrats' perspective, that we turn from a split-party delegation to a two Republican delegation. So think Nevada, if Harry Reid loses his seat, right. Where now Obama can look to Harry Reed for support, he could be looking to two Republicans. And won't those be interesting Republicans?

So, again, Obama is going to face a harder time getting Senate consent, not a tremendously hard time, but even if the Democrats keep control of the Senate, the make up of those delegations is going to make it harder to get judicial nominations confirmed.

That pace has been pretty slow, not remarkably given the record of the last couple of Congresses, but we shouldn't expect too many judges appointed and confirmed in the coming Senate, particularly in a run up to the presidential election where most of these confirmation processes grind to a halt. So between all of that, my hunch is elections will matter. They enhance the prospects of gridlock, and particularly can affect even beyond Congress, the makeup of the third Judicial Branch. And I'll stop.

MR. DIONNE: I want to thank Sarah for her calm, but devastating

realism here. I took one of the themes as divided government, just like the old gray mare ain't what it used to be. And I can't resist reminding everybody that before you got to the productive Gingrich/Clinton period, we actually went through a government shutdown. And if Clinton had won the shutdown, who knows what would have happened out of that divided government? But thank you, Sarah.

For further optimistic outlook, I turn to my dear colleague, Bill Galston.

MR. GALSTON: Now for something somewhat different. Just, you know, for the record, I agree with my colleague, Tom Mann, substantially about his election forecast, I disagree with him rather fundamentally about what I will call the Obama factor. I'm not going to go into that now, but if anybody is interested, we can perhaps explore that during the --

MR. DIONNE: I am. So, Bill --

MR. GALSTON: And let me begin my bleak assignment that is on the substance of the next two years. I'll begin where Sarah left off. As a veteran of the Clinton White House, I would be the last person to underplay the significance of congressional control. And, yes, investigations do matter.

Having said that, I think we already know, as Sarah indicated, the most important outcome of this election, namely that even if the Democrats retain control of both houses, that they will not be able to employ the strategy that they employed to get legislation to the finish line in the first two years, unifying Democrats and the Senate, picking off the handful of moderate Republicans. That strategy is dead and we know that already, you know, four weeks before Election Day.

What that tells me is that, from a legislative standpoint over the next two years, there are only two possibilities, namely, all out gridlock on the one hand or a very

different kind of conversation and negotiation between the two political parties. For reasons I'll state towards the end of my remarks, I'm somewhat more optimistic about the latter at least in some cases than other panelists are. As for the substance, here's what I think we face. With regard to the Republicans, it's fairly easy to predict because they've already told us what they want to do, and after 30 years in Washington, I found it wise to take political parties at their word, particularly when they're just starting out.

They will focus on taxes, especially small business related taxes, but probably not ending there. They will mouth I think not a frontal, but rather a selective assault on the health care bill, trying to restrict implementation, using the appropriations process, and they will also bring up specific issues, such as the individual mandate, tort reform, cross state purchases of insurance policies, and the question of whether the bill is adequately restrictive in its approach to abortion related funding.

They will also have something to say about the budget. They've already declared their intention of drawing a double line under the unspent funds for the stimulus and for tarp. They will try their best to cap non-defense discretionary spending. They will push for a hiring freeze in the domestic portions of the federal government. And they are likely to try to elevate the visibility of Fannie Mae and Freddie Mac as drains on the federal Treasury. And it's hard to argue with the factual premise that they are, indeed, drains on the federal Treasury, whatever other good things one might want to say about them.

If they gain a House majority, Speaker Boehner has already laid out a sequence of process reforms that he intends to institute. I take him at his word. We can talk about those in detail, and no doubt, there will be different views as to how reform-ish they are, but there will be some changes in the way the House operates.

I think the Republicans are fairly easy to predict. The Democrats have more strategic choices, both on the congressional side and the administration. But here is my best guess as to the sorts of substantive issues that the administration and congressional Democrats are likely to push.

First of all, I think that the administration will have no choice but to offer some response to whatever the bipartisan fiscal commission comes up with, and I would expect some budget related proposals fairly early in the administration. On the job front, I cannot imagine that they won't try to put some serious proposals on the table, not stimulus, too, but perhaps more emphasis on infrastructure spending, including the infrastructure bank, and a much more sustained focus on manufacturing. And there are all sorts of reasons to expect that, including the fact that in 2012, no fewer than six incumbent Senate Democrats from Midwestern states will be up for reelection, incumbent Senate Democrats in Michigan, Minnesota, Missouri, Ohio, Pennsylvania, and Wisconsin. That list more or less speaks for itself with regard to a manufacturing emphasis.

And the administration has already issued a large promissory note in the area of exports, promising to double American exports within five years. They will try to redeem that note, which means that they have important legislative decisions to make with regard to relations with the Chinese and also how hard to push forward on pending bilateral trade treaties.

Next, they are bound to engage in the sort of legislative initiatives that are fundamentally about constituency mobilization, and so I confidently predict that they will do whatever they can to elevate the visibility of a Don't Ask, Don't Tell repeal, and also immigration reform, whatever its legislative prospects, will be high on the political

agenda, because, clearly, there's some repair work to do with Hispanic Americans. There will -- and here I agree with something that Tom has recently written, and also reasonably -- there will be administration action that will be significant to push forward with the implementation of health care and financial regulatory reform, and also to do what's possible in the area of environmental regulation and climate change, understanding that there will be legislative and judicial pushback from the other side on those questions.

Is there any low-hanging fruit where agreement between the two political parties may be within reach? Not a lot, but perhaps some. I can imagine agreement on non-climate change energy proposals, for example. I can imagine agreement on some form of the reauthorization of No Child Left Behind. And most surprisingly, I detect, and I'm not alone in detecting, signs of potential convergence between left and right on issues involving tax expenditures as elements of a broader discussion of tax reform.

Finally, what do I see about the political dynamics over the next two years that will undergird the prospects for any of the legislative proposals that I've just ticked off? Let me make three points very quickly and in conclusion.

First, the 2011 State of the Union Address will be the key to the second Obama two years and maybe to the remainder of his presidency. This is the President's opportunity to plant a flag, to declare what he is prepared to fight for over the next two years, where he is prepared to compromise, where he is prepared to take his administration in a different direction, and how he intends to frame the arguments, both affirmative and negative.

It will be very meaningful if the President adopts a steady as you go rhetoric in the State of the Union; equally meaningful if he signals a shift. But to all the

political observers in the room, amateur and professional, and I think that's everybody, I would advise you to pay a lot of attention to what the President says in that State of the Union and how he says it.

Point number two, unless the fundamental laws of testosterone have been repealed, at the beginning of the next legislation, an energized Republican Party will start strong, force the pace, risk or even invite confrontation. I think in that respect, it will be 1995 redux and maybe squared.

Third and final point, a gridlock outcome is the majority opinion at this point, if not conventional wisdom, but history gives us some reasons to question. Over the weekend, with the aid of some really good political science papers, I reviewed the trajectory of the two most recent all-out confrontations between the two political parties that occurred in 1990 and 1995. Each led to a government shutdown, each revolved around budget issues, each was resolved with an agreement.

Why did that happen? Answer: There is a third key factor in the equation, namely, the American people. They respond to political events, particularly high-profile confrontations like government shutdowns. I can give you chapter and verse on how carefully both the White House and the congressional leadership observe the shifts in public opinion that occurred during those confrontation episodes. And the side that enjoyed increasing support among the American people as the result of the shutdown was the side that was able to get more of its way at the end.

Each side began by believing that the people would be on their side as a result of this confrontation. One of them was bound to be wrong, one of them turned out to be wrong, and the one that turned out to be wrong was the one that gave ground. So it is an analytical mistake and a historical mistake to look at this only as a bilateral gain

between two masked armies, because underneath all of that is the fact that this is still a government of the people which has to respond to how the American people respond to political stimuli. And I think that the party that overreaches in the next year or two is the party that will lose ground.

Thank you.

MR. DIONNE: Thank you, Bill. I think the theme of your talk was we will continue to try to govern ourselves, which is actually very good news in a self-governing republic. And if I remember right, it was the Republicans who had to give ground in both of those --

MR. GALSTON: That is correct.

MR. DIONNE: -- particular confrontations. And I won't get into whether the laws of testosterone, Bill's new concept, will be affected by the growing role of women in conservative Republican politics, although he can comment on that if he dares. I want to turn to --

MR. GALSTON: I dare.

MR. DIONNE: -- Michael McDonald now to say what the lines are going to look like for the 10 years after this is all over.

MR. MCDONALD: So I'm going to try and boil down the three dimension chess game that is redistricting, and so -- especially for the international folks in the room, I want to talk a little bit about what that is and then get into five important points which I think we need to pay attention to, and then make some predictions, if we will, about what we might see for the next decade.

So, first of all, what is redistricting? Well, about every 10 years we hold a Census in the United States, and following that Census, there is a reapportionment of

House seats to the states. And we're going to get those numbers in December, so we're still sitting on pins and needles waiting to find out what happens. And that redistribution of seats to the states is based on population.

There are going to be some states that gain seats and some states that lose seats. The states that are losing seats are primarily in the Northeast, they're the old Rust Belt states. They haven't been keeping up with the tremendous population gains in some of the Sun Belt states. So we're going to see a shift of representation overall from the Northeast down into the southern tier U.S. states.

So after you get a new district, of course, you'd have to redraw your district boundaries because you have a new district and you have to have a district for that member to run it. So part of what's going on is, this reallocation causes the need to have a redistricting. The other thing that happens is that back in the 1960s, the Supreme Court said all districts must have equal population, and so even if a state doesn't gain or lose seats, there will still be a shift of population within that state that requires the state to go back and readjust their boundaries. So that's the mechanical process that's involved here.

Most other countries around the world that do this, they do it through a bureaucratic commission. The United States is a little bit different. We have each of the 50 states that's responsible for redistricting their own boundaries, both at the congressional and state legislative level. And in many of those states, but not all of the states, it's state legislatures who are responsible for drawing the district lines, it's not a bureaucratic commission.

Now, there are a few states that vary from that, and these commissions have different flavors to them, but by and large, the commissions that we do have in eight

states are primarily bipartisan in nature. So that's the way of the land and why we have redistricting. Now, the practical political matter is that redrawing district boundary lines gives politicians, party leaders an opportunity to change the boundaries to their favor. So if you're a Democrat say, and you have some Republicans in your district that haven't been supporting you, well, just trade those with the Republicans in an adjoining district, they'd be happy to give you some of their Democrats.

And so those sorts of bipartisan traits are actually quite frequent in what are called incumbent protection redistricting gerrymanders, and both parties can sing "Kumbaya" and live together. So it's really great. It's one of the few instances where we actually see sort of bipartisan agreement at the state level and in Congress. So, you know, much to do about divided government, et cetera.

Here we have a policy area where we can get some agreement, that's if the two sides have to compromise. If they don't have to compromise, then one political party will do as much damage as they can to the other political party, and this is why we call it gerrymandering, or Gary Mandering after Elbridge Gary, who was a governor in Massachusetts who drew a state legislative district way back in 1812. And it's gone through the lure that this funny looking district that looked like a salamander, a political cartoonist said, well, it looks really like a Gary Mander, and since then, we've always called these things gerrymanders, but we bastardized it and say gerrymanders, so gerrymanders.

And what you can do here, and I've actually -- I like to say I'm a recovering gerrymanderer, I've actually been in the room and drawn districts for state legislatures, been involved in redistricting in five states either as a consultant or in litigation, and so what we do is, we will take two of the other parties incumbents, throw

them together in a district, we'll pack as many of that party into that district and spread around our supporters as best as we can so that we can maximize the number of seats that we can win.

And so there's a strategy there that's involved with redistricting partisan gerrymandering. So that's what we're looking at. We're not going to just balance these populations, they're going to be political calculations that are made in the drawing of these districts boundary lines.

And to understand how that's going to play out, we have to understand five different facets of redistricting. We have to understand the apportionment, so -- that distribution that seats the states. We have to understand the process within the states. Is it going to be a commission or the state legislature? We have to understand who's going to control that process. Is it going to be a unified state government or is it going to be a divided government?

We have to understand the number of congressional seats that are going to be controlled by the two political parties. And then finally, we have to understand the dynamics, the strategy that the party leaders are going to employ when they're drawing the district boundaries.

So let me go through all these one at a time. As I mentioned, apportionment, we're seeing a change in representation from rustbelt states to the southern states. The big losers look to be states like New York, which may lose one or two seats depending on which forecast you're looking at. Big gainers and other states are Ohio losing a seat, Pennsylvania losing a seat, Michigan losing a state, Illinois potentially losing a seat, either Minnesota or Missouri losing a seat, so just that upper tier of states, you can see that the seats are migrating down to the South.

There's one exception to this, which is Louisiana, which, unfortunately, lost a lot of population due to Katrina, so they're also forecast to lose a seat. The states that are looking to gain population and congressional seats are states like Texas, which is either going to gain three or four seats; Florida, which is either going to gain two or three seats; and Arizona that will gain a seat; and California may or may not gain a seat; and then there's some other states as well. So that's the big numbers where we're seeing a shift in representation.

The process, now what do we use as a process in most states? Well, a lot of the other states -- Delaware, Alaska -- they don't really have to worry about congressional redistricting, they're already done. They only get one seat, pretty easy. It's a dry district there, it's the state boundary line. So seven states --

MR. DIONNE: -- a little Maryland up there?

MR. MCDONALD: Well, Maryland is an interesting case, too, we can talk about it if you want. So for most states, we're done -- or not most states, seven states we're done. In eight states, as I mentioned, there's a commission at some point in the process, and if you look at the structure of the rules of those commissions, and I can go into gory details about them, but by and large, they're bipartisan commission. So we're looking at states like New Jersey. And I mention New Jersey because a number of people who have been writing about redistricting have noted that, you know, state politics matters, in New Jersey it doesn't. There's a bipartisan commission for congressional redistricting, that's who's going to draw the lines.

Another state to look for, and we really only know if there's going to be eight or nine commission states, because out in California, Prop 20 is on the ballot, and that would take congressional redistricting and put it in the hands of the current state

legislative apportionment board, and that would be a bipartisan commission out in California. We'll have to see if Prop 20 passes.

I've only seen one poll on this, and it was leading 40 to 16 in that poll, so I think it's got a good shot, though the history of initiatives is that about two-thirds of them fail, voters tend to vote no on them, so we'll still have to sort of pay attention to it. But you need a big lead in the polls in order to actually pass an initiative; it may pass in California.

And there's other states like Arizona, Washington, Idaho, Hawaii, which really doesn't matter much, that also have commissions, and so those states, we're really looking bipartisan deals that are going to be cut in the commissions. So that's our commission states, so we're really maybe 35 -- 34 remaining states where we actually have the legislative process that's involved.

There's one exception, that's in North Carolina, where the governor has no role. All other states, it's the regular legislative process. And so start peeling back a little bit further and look at who's going to actually control the process in the states.

Republicans have been making a lot of noise that they are well-poised in this way of election to be able to gerrymander the entire country. And so I've looked very carefully and closely at the races, looking at both the governor races and the state legislative races, and I can go into, again, details about which states are going to be in play and what, but actually if you look at the map, the best case for the Republicans is that they have the same level of control as they had 10 years ago.

Best-case scenario is that they win the governor's race down in Florida, have a unified government in Florida, can do what they did 10 years ago in Florida, that they win the State House in Pennsylvania, which is currently controlled by the

Democrats, and that they will be able to have unified government in Pennsylvania, and be able to pull off a gerrymander like they did 10 years ago in Pennsylvania, that they will be able to gain the State House in Michigan, which again, they had unified control 10 years ago, they would be able to do the same thing that they did 10 years ago in Michigan, and finally, that they would be able to gain the State House in Ohio, and again, be in the same position they were 10 years ago.

Other states, they're looking at really trying to put brakes on a Democratic -- control the process of Democratic gerrymander, so they're hoping to have control of the governorship in Illinois, which would, ten years ago, there was divided legislature in Illinois, so it would put them exactly in the same position they were 10 years ago.

California, they're hoping that they're going to be able to win the governor's race, the legislature is going to be controlled by the Democrats by all counts, and there was a bipartisan compromise 10 years ago because Republicans threatened to put an initiative on the ballot, which, by the way, they did, so they reneged on that promise, but -- so anyway, they would be in the same position they were 10 years ago, a bipartisan deal in California. And in Texas, Republicans are already likely to control everything. You know, there's an outside shot that the Democrats might be able to win the governorship, but they would have not unified control so much 10 years ago, but in 2003, when we had the redistricting. Ten years ago, there was a divided state government, and it went to court.

So what does it really tell us is that we're looking at a very similar situation in terms of partisan control, and the best case scenario for the Republicans, as they were in 10 years ago, and we know how all that worked for them throughout this last

decade.

So I don't really foresee there's going to be much of a chance for Republicans to gerrymander the Democrats out of existence over the next decade, but they are going to -- it's better, by all counts, believe me, it's better to be in control of the process than not to be in control of the process because you really can wreak a lot of havoc on your opposition.

And so let me just go a little bit further on the next two points about the strategies that are going to be involved here, which are going to really be determined by how many congressional districts are held by and incumbent to the two political parties. And this also tells us why we're going to see that Republicans are really maxed out in terms of the number of districts that they can possibly play around with.

So the key states really look at and are going to be key for Republicans winning control of the House of Representatives are some of these battleground states, they are Pennsylvania, Florida, and Ohio, and some in Michigan, but not a lot.

And so in order to win control of the House of Representatives, they have to run the table of all of the competitive races in these key battleground states. And if they do, ironically, Republicans are actually going to be at a worse position than they would otherwise want to be for redistricting, because they're going to have to spread around their supporters quite a bit to protect some of their vulnerable freshman incumbents in 2012.

So the best case scenario for the Republicans is ironically, at least in terms of redistricting, is that they win this election and they win control of the House of Representatives by a narrow margin that, in these key battleground states, all right, and I don't think anyone is going to be playing that three dimensional chess game, trying to like

say, well, let's not win that seat there, you know, on the Republican side because we want to have a safe seat for redistricting elsewhere in our state. So, you know, the Republicans will try and win as many as they can, of course, but it's just to say if they win 60, it's going to be difficult for them to protect all 60 incumbents, freshman incumbents, in the 2012 elections.

And that gets me to one last point, which is that Tom mentioned that we've seen an increase volatility in our elections over the last couple of years. Ten years ago, we had had a period of stagnation. We had very close elections for a couple of elections, and people were very confident about where districts were sitting. If they're going to be a very, you know, Democratic, Republican, they could fine tune the partisanship of those districts and draw very precise gerrymanders.

Now we don't know. I mean, we've seen a surge towards the Democrats, a surge back to the Republicans. This electorate in 2010 is going to be much different than the electorate in 2012, so the calculations are going to be that you're going to actually not have a lot of certainty about the partisanship of your districts. So the rationale strategy in that situation is to actually bump up your margins a little bit more than you would have done 10 years ago. So the big change that we're really seeing from 10 years ago isn't about control of the process and things of that nature. Best case Republicans are where they were 10 years ago, worse case Republicans is that Democrats actually win the Florida governorship and put some brakes on the Republicans in states like Pennsylvania, Michigan, and Ohio.

And we have a lot of bipartisan gerrymanders that are out there, bipartisan deals, which, if anything, I think will be the worse case for the American public, because the end up -- the result will be that people will calculate, they'll want to keep their

districts as safe as possible to protect themselves from this volatile trend that we're in, and they'll cut these bipartisan deals.

And we have very few competitive House races right now, it's about ten percent of all of the House races, a little bit more this election, but we're still on a narrow band in terms of the number of competitive elections that we have this time around.

We're probably, you know, looking at even fewer this next time around. We're going to be very closely divided, as Sarah mentioned, in terms of our control of the chamber, regardless. We're going to be looking at narrow majorities I believe over this next decade in the House of Representatives.

MR. DIONNE: Michael, thank you so much. I really think you overturned about 10 pieces of conventional wisdom in 10 minutes and that was really helpful. Here's how I'd like to proceed. I have a lot of questions I would like to ask, but I want to turn to the audience very quickly. So what I'm going to do is, put out a question to each of you, which I don't want you to answer right now, but keep it in the back of your head as you frame your answers to others. I understand that will allow you to evade any questions I ask, but that's okay.

And, by the way, Michael's mentioning the California -- reminded me of my favorite bumper -- one of my favorite bumper stickers, which simply said, "Vote Yes on No," which is one of the most philosophically interesting bumper stickers I've ever seen.

And I think the interesting question is, how does that differ from "Vote No on Yes?" But I teach at Georgetown, so that's a Jesuitical question, I think. So let me throw out a question to each of you. To Tom, I guess I want to just go straight at you on the forecasting question. I see -- if Citizens United does not totally overwhelm this

process and if the trends stay exactly as they are now, both are big ifs, it seems to me quite plausible, and instead of 35 seats, you end up with a 28 to 30 seat Republican gain, so my question is, I think the lines between a big victory and a narrow victory are actually quite thin given where the margins could be.

You could end up with a Congress say 226 to 209 or something, which is very much like the majorities that the Democrats had in the House after '96. I'm just curious where you see the ebon flow within your prediction.

To Bill, I alluded to the difference that he might have over President Obama's strategy versus Tom in the first two years. I'd love him to talk about that at some point, but maybe turn it forward looking, which is that, for the most part, he chose not to call out the Republicans for the first year and a half of his term, now he is being very aggressive as the election approaches in calling out Republicans.

How does that predict what he's going to do afterward? What are the chances that there will be an entirely new Obama strategy shaped not only by narrow majorities, or if I'm wrong, perhaps a Republican House, but also the effect of doing what he's doing in this election. To Sarah, is there still going to be talk about reform of the Senate, will it matter? If Republicans get 51 seats, will they suddenly become strong friends of the majority rule in the Senate? Just how will the various outcomes either of a much narrow Democratic majority or a Republican takeover effect that?

And I want to ask a particular question to Michael McDonald. I covered some reapportionments in the '80s, and New York was particularly fun, it was almost an academic test, because you had a Republican State Senate, a Democratic State Assembly, and so they always agreed on bipartisan gerrymanders.

I remember talking to one of the Democratic leaders who was very

proud. He said, unlike Phil Burton, the legendary reapportioner in California, at least all my districts are connected by bridges. He used bodies of water, harbors, rivers. But what was interesting about that reapportionment, it goes to a point about how it's harder to gerrymander than it used to be.

Back then, the traditional way to gerrymander is, Republicans would pie into the cities from the suburbs. They tried to bust up Democratic majorities in the cities by attaching them to the suburbs and that's what you saw in the state Senate. Democrats would try to preserve city seats by throwing just as much suburb in as they needed to make the population big enough. Throughout the northeast and middle west in particular, and also on the west coast, though not in the south, you've got a suburban trend toward the Democrats, or away from the Republicans is probably a better way to put it, that's been going on since 1996. I'd love you to sort of talk about how that might affect the difficulties of creating gerrymandering this time and the last time.

But I ask you to hold all those questions in advance. I want to go to the audience. Do we have a mic? Who's got -- does somebody have a mic for us? There's the mic. I would ask everyone in the room to keep their questions short except for Mark Shields. And I have a double standard here because Mark is one of the most intentionally funny people in Washington. That's against all of us who are unintentionally funny. So, Mark, you have full dispensation. Everybody else please keep your questions short. Why don't I start with you, so you can set a bad example for everyone?

MR. SHIELDS: I'm just fascinated on the reaction that the panelists see to the 2010 results, looking forward 2012 presidentially. And the one example I would use is that in 1982, when the Democrats did give a pasting to Ronald Reagan's then pretty small -- in the House of Representatives -- Democrats immediately concluded that

Reagan was an actor, and all they had to do was to nominate the distilled essence of the great society and the new deal, a wonderful human being, and Walter Mondale, who lost 49 seats.

And I'm just kind of curious as to what psychologically and emotionally the reaction will be of the Republicans if, in fact, they do win a victory larger than that that's predicted by some of the panelists and win control, what will the psychological impact be upon them? Will they just say Obama was a mistake, or Clinton was a mistake in 1992, when he, of course, won the election?

MR. MANN: A wonderful example. They're already saying that. What's striking is the extent to which Republicans are already saying that, and that in the activist groups, the feeling is, Obama is clearly a mistake, a one-time President, he was there when the economy sunk, and with his ideological overreach and sophomoric leadership and Afghanistan and everything else, he's dead. But you point --

MR. DIONNE: That's what you believe, right?

MR. MANN: As you point out with the illustration from '82/'84, there is no necessary relationship between a midterm loss for a party and their prospects in the next election, in fact, it's zero. If you look at a longer term, historically, it's zero. The turnouts are different, the state of the economy tends to be different during the two periods of time. Midterm is usually a loss for a President's party, and yet I think it's close to, correct me, 70 percent of presidential incumbents win reelection.

So, you know, I think the evidence is there that it has no necessary bearing, but I think the sentiment in the Republican Party is going to be just the opposite, and, therefore, what I am expecting is that the source of energy in the party now, which comes from the Tea Party, will lead virtually all of the Republican aspirants to run after

that support, and thereby, making it more likely that Obama will be reelected.

MR. DIONNE: And Bill, who worked on that Mondale campaign also wanted to come in, but Bill was only in charge of Minnesota, I want to just make sure.

MR. GALSTON: Well, as the co-author of the famous tax increase line in the '84 convention speech, I guess I do have some skin in this game. But, you know, Mark, I think that I'm almost in a perfect position to answer your question, because I was Walter Mondale's Issues Director from June of '82 to November of '84. If I had had another week to work, we could have lost Minnesota. And then, of course, I was in the Clinton White House, and I was in the famous meeting in the Roosevelt Room the day after the '94 election, the senior staff meeting, when the names of each one of the defeated Democrats was read. It was like the tolling of a bell, and there were gasps that ran around the room as a name that nobody thought could be defeated was defeated, and there were lots of gasps.

There's no question about the fact that after November of 1982, Democrats smelled blood, Walter Mondale was running even with or ahead of Ronald Reagan in surveys through much of 1983, et cetera.

But for those, you know, for those who had eyes to see, and I wasn't one of them at the time, the fact that Ronald Reagan and the Republicans running, you know, in an economy that went steadily downhill, unemployment peaking almost literally on Election Day at 10.8 percent, held their losses to 26, that should have been a sign that the "Stay the Course" -- you know, "Stay the Course" versus "Go Back to the Carter Years" argument had some legs, as, indeed, it turned out, and that Stay the Course campaign laid the foundation for the Morning in America campaign, a blessed memory.

In November of 1994, there's no question about the fact that most

Republicans and a lot of Democrats thought that Clinton was a one-term President, you know, and Clinton himself was reduced to that pathetic press conference where he had to reaffirm his relevance, we all remember that.

But that, it seems to me, is the model that is most intriguing for the next two years, because what Clinton did, of course, was to distinguish in the old country-and-western fashion the hands that he had to hold as opposed to the hands that he had to fold, and by drawing that line in the right place, he was able to stop the route and stabilize the situation, win the budget confrontation in the court of public opinion, and then cement his victory by signing by the welfare bill, which Robert Dole privately acknowledged as the single biggest blow his campaign endured in 1996. The long and the short of it is that, I think Republicans who believe that even a major victory of 1994 proportions, this year, presages the end of the Obama Administration, are leaping to a conclusion that history gives them no warrant for reaching.

MR. DIONNE: Thank you very much. Of course, the next lines in that country western song are, you've got to know when to walk away, know when to run, so we'll see which way that goes. But I think your point is well taken. And referring back to '94, if my sort of sense of at least a holding loss is down to 28 or to 30 as possible for Democrats, I think the fly in the ointment is not among the '06/'08 people, who are a tough bunch who fought hard campaigns, I think it will be surprised Republican victories against longer term incumbents, and I think they may be in more jeopardy than some of the folks we now think of as in jeopardy.

MR. GALSTON: But just picking up on one more piece of the psychology and then I'll shut up. I think if your scenario, which I regard as a low probability scenario, comes to pass --

MR. DIONNE: That's polite at Brookings. You're out to lunch in normal terms, yes, please, thank you.

MR. GALSTON: But it's very possible. I think that will actually be regarded by the press and by many Republicans as a defeat. That would be a set back given current expectations. I think that would be a moment of perhaps recovery.

MR. DIONNE: I agree with that. I'm going to bring in a couple of folks now, but please, if everybody could -- I'll go straight back on this side, on the right side. Let me bring in three people at a time, yeah, right down there, back to Norman at the end, go ahead.

MR. BENENSON: Okay. Bob Benenson from *CQ*. The three major pieces of legislation that you could argue were the Democrats biggest accomplishments, the stimulus bill, the health care bill, and the House passage of the global war result, have turned into serious political milestones for the -- campaign, the Republicans have succeeded in the message game.

Why do you think the Democrats and the President had so much trouble ringing the message alarm, persuading people and getting buy in? Why was the public so surprised and why was there such a serious backlash? Because Obama had talked about cap and trade, he had talked about the comprehensive health care reform, and the stimulus bill, given the circumstance, should have been an expectation.

And reserving my right to ask a pretty boring question, do you think this -- it seems to me that this is another symptom with the pendulum swings back and forth so fast of people voting against rather than for. Does this set the Republicans up for the mandate trap to assume that the public is voting more for them and what their agenda is than voting against the Democrats and what they stand for?

MR. DIONNE: Hold off, that's a great question, both of them. The gentleman in the rust colored -- rusty rose or whatever that wonderful color is.

MR. HIRIAD: Judd Hiriad, documentary filmmaker. I'm dying to hear your opinion on the Tea Party, what it is and its impact on -- I think you each have answered this indirectly, but I'd like you to address this issue, I'm dying to know what it is and what its impact is going to be.

MR. DIONNE: That's a great question, too. And then Norman Birnbaum right behind.

MR. BIRNBAUM: Well, the same question, but naturally, since I'm a colleague of E.J.'s at Georgetown, a little bit of academic elaboration which I feel naked. I was driving in Stefantown, New York yesterday, which is roughly west Williamstown, and to my astonishment, I saw an enormous poster on the side of what looked like a barn, "Support Ron Paul, Defender of America." As far as I know, Ron Paul is not running in New York, although a debate between him and Paladino would certainly not be without its value. But I'd like really to know, what do you think of the -- what the distinguished panel thinks of the enduring value or the enduring capacity of the movement we call Tea Party, which has coined a lot of dispower elements and social support?

And I'm reminded of the period 1938/'41, the end of the new deal, when the epoch of Franklyn D. Roosevelt, when Jim Cauley and Al Smith deserted the Democrats, when there was a great deal of not so subterranean opposition which focused and consolidated in the Tea Party of its day, which was the America First Movement, which was exceedingly successful.

And if you then go -- it was extinguished for a while by the war, but

resurfaced later as both Republicanism and McCarthyism, this force in American society doesn't seem to go away. What is its current incarnation?

MR. DIONNE: Thank you. I would love to have a long discussion with you about it. I have a more complicated view of the America First Movement, but that's totally irrelevant to this conversation. Those are great questions, all three. Who wants to -- do you want to start, Sarah?

MS. BINDER: I'll start with the third of the first question, which I believe was, is there a danger for Republicans of misinterpreting or over interpreting if they win that control by any size majority. I think there is always a danger for new majorities misinterpreting elections, in that all elections, even when we call them mandates, are all about how we interpret it. And I think the election you have to come back to here is the '94 election and how the Republican majority interpreted that win.

And granted, they were coming after 40 years of minority wilderness, but the Gingrich interpretation was that this is an endorsement of the contact with America, and it was an endorsement of their conservative policy agenda, and it was right, and you could see it in the shut down, they thought that the public would be with Republicans.

That, as one of our older colleagues have said, they had to learn to govern. They had been -- they're out of practice, they're out of practice of interpreting what happens when Republicans win control of Congress. So the question I think for this round is, are they going to make that type of mistake again or have they learned for the remaining members from '94 and -- of lure of '94, are they going to make that same mistake in interpreting the election.

My hunch is that every majority has those tendencies to say that it's about who we are rather than a rejection of the governing majority, even though when we

look at midterm elections, right, become a party that tends to lose seats as a referendum on the President's party. So I suspect we'll be back in a similar type of situation as we were before.

SPEAKER: Yeah, the metaphor I like to use is -- got caught in the --

MR. DIONNE: By the way, before Tom -- I'll just go down the panel on all three of those. We have an event tomorrow on some new polling that Bill and I will be organizing on the relationship between the Tea Party and the religious conservatives, so some people here might be interested in that. Tom.

MR. MANN: Let me take a crack at Bob's question about why -- because it goes to what many people see as the paradox of the Obama presidency, of extraordinary legislative achievements, I mean historical in their magnitude, but seemingly no thanks from the public, to the contrary, a public deeply skeptical.

To be sure, Christina Romers' Council of Economic Advisors should not have put out a hard forecast on what unemployment would be if the stimulus package is adopted because it set themselves up, and they were working off numbers that, within weeks -- there were consensus economic forecast, but within weeks, deteriorated, and they were always answering to that.

On health care, yes, if Obama had pulled the plug on Max Baucus in one week rather than three months, you know, you wouldn't have had the long difficult struggle. But these are trifles, in my view, around the margin.

I think the stimulus is unpopular because people believe it didn't work, because they're scared, they're suffering, unemployment is high, under employment is high, they've lost, they've had declines in many families in wages, personal assets are down. And most Americans think and relate their own personal experience to that of a

country, that is, they are not Kansians. They say, well, it's tough times, we've got to sort of be more careful, we've got to spend less and save more and do the responsible thing, and government should do that, too.

Now, if government does something more and it immediately works, then never mind. But if it turns out it's a slow recovery because it's a massive economic downturn, the greatest sense of the 1930s, it's almost inevitable that they will have that reaction. Voters are myopic. Larry Bartels has proven this, that is to say, what have you done for me lately. They're not, you know, they sort of can't --

MR. DIONNE: Or practical.

MR. MANN: Yeah, however practical, but if it works against their own interest, it's not clear, it's so practical at all. And there are a lot of things people believe that just ain't so. So the question is, well, we should have done the things the public believes even if they would have been contrary to trying to effect the macro economy, I think not. This is what leadership is about.

Yeah, you want leaders to pull in their pulled support behind their policies, but what if you can't do it, do you do the right things? I mean the G-20 intervened at an absolutely critical time in the financial meltdown, and we averted a Great Depression, but that's a counter factual, you'll never convince the public of it, but I'll tell you this, in two years, if the economy is humming, they'll have forgotten that, too, because now it's going, okay, and well, now maybe government isn't so bad.

As far as cap and trade, it's so -- that's an issue that you can't make progress on under tough economic times in any case. And with health care, it was a combination of -- remember, this is a bill that was founded on Republican principals, of competitive private insurance markets, of individual mandates which they used to sort of

be for very strongly, and with cost cutting measures like a super Medicare commission, so it wasn't radical or revolutionary, but it turns out in tough economic times, people pull back and they think, what am I going to lose.

So it was the seniors, what are you going to take away from my Medicare, and it was the Tea Partyers who say, we, you know, we pay for our insurance, why are we using our taxes to pay for those, you know, who aren't sufficiently responsible. So I think the politics really are driven in large part by the tough economic times.

MR. DIONNE: I'll turn to Bill. I just want to thank Tom for the passion of his response. And just to tip you off, rule number 26 of panel discussions is, ignore everything someone says after the words "to be sure," and then know that what comes after that is what they really mean, just to help --

MR. GALSTON: Actually I put it slightly differently, E.J. A very wise person once told me that in a sentence that has the word "but" in the middle, ignore everything that goes before the word "but."

MR. DIONNE: It's a corollary effect.

MR. GALSTON: Right, you know, I do -- I could, but will refrain from using what Tom just said as an entering wedge for a deeper exploration of our differences about the Obama factor. But I would point out for the historians --

MR. DIONNE: We're trying to make you come back for the post elections.

MR. GALSTON: Right, but I would point out for the historically minded that when Franklyn Roosevelt took office, unemployment was at 25 percent. The day he won his landslide reelection in 1936, it was at 16 percent. And people respond to the real facts on the ground. People are not stupid. And unless and until the real facts on the

ground change, not just incrementally, not just in talking points that the White House has give out, which I used to write, and they're not worth the paper they were written on, then or now, you know, but unless there's real change on the ground, the American people will quite reasonably ask, what has all this done for me, all this being some trillions of dollars.

But I'd like to take a crack at Norman Birnbaum's point, which is related to what the prior questioner asked, as well, about the Tea Party, what does it represent? My answer is, in addition to the contingencies of the moment, two enduring strands of American political culture, number one is anti-stateism, and more broadly, mistrust of concentrated power.

The late Seymour Martin Lipset was not wrong to talk about anti-stateism as one of the enduring features of American exceptionalism, distinguishing us not only from our friends or punitive friends across the Atlantic, but also our neighbor to the north.

And the other important enduring piece of American political culture on which the Tea Party draws is populism, or to put it the other way around, anti-elitism, okay. And this is a perfect storm for those two strands of American public culture, because for reasons that some people applaud and others deplore, the state was extremely active during the first two years of the Obama Administration, and second, to a higher degree even than the previous iteration of the best and the brightest during the Kennedy Administration, this has been government by meritocracy, that is, government by certified elites led by a President whose high regard for certified elites is palpable.

How many times did he refer to Steven Chu as his Nobel prize-winning Secretary of Energy during the Gulf oil spill? And I think it is just obvious from the appointments, from the demeanor, et cetera, that this is a government that has a very high regard for neutral expertise or punitively neutral expertise.

This is not so much a new deal style government as it is Progressivism -- with a capital P -- redux, in my opinion. And so what we have is a classic situation in which the progressive impulse in American politics is running up against the populist impulse in American politics.

And the fact -- and this is a contingent fact, but not a trivial one, the fact that President Obama took office in circumstances where trust in the federal government was near an all-time low, a fact of public opinion that his election did nothing to alter, in that respect, he won a personal victory, but not a systemic victory, meant that government activism was going straight into the teeth of a preexisting, pervasive, 80 percent public doubt about the integrity and competence of the federal government to bring about results.

And so people were primed to expect failure from the federal government, and that was a frame into which they put a lot of the evidence that they received during the first two years, fairly or unfairly.

I personally incline to the view that what the government did in the main was necessary to avert a much worse catastrophe. But I think it is obvious that's, you know, yes, it's a counterfactual, but also to avert extreme suffering is not to gain say the very widespread and significant suffering that has prevailed over the past two years, you know, and that just exacerbates the underlying mistrust.

MR. DIONNE: And now I turn to our Nobel Prize winning gerrymanderer for comment on this round.

MR. MCDONALD: I want to address Bob's question, then the Tea Party question. So briefly with Bob, you know, the irony with this election is that the people who have been most hurt by this economic downturn aren't the people who are going to

show up to vote. They are not -- the unemployed aren't going to show up to vote. I mean if you look at turnout rates, and that's the other thing I do beyond gerrymandering is, I also -- turnout rates for the U.S., and so that's I think going to probably -- perhaps the biggest miscalculation that someone could potentially make out of misreading this election is that a midterm electorate is much different than a presidential electorate.

And Republicans have actually played over the last two years towards a midterm electorate, tend to be older, better educated, higher levels of income, and so if anything, you've really seen an opening of the age gap, and the 2008 election has persisted into the 2010 election.

If you look at what the Republicans were doing in terms of health care and how they framed their opposition to it, it was, you know, they were going to take $500 million for Medicare, you know. So, you know, this electorate is going to be different in 2012, I think that's -- you can make a big mistake by calibrating your policies to a 2010 electorate. On the Tea Party, it's something that I'm interested in. I have a piece that's forthcoming in *Politico* about the sort of dynamics right now. And I'm so glad that you brought the historical nature into this, because this is nothing new in American politics.

In fact, I argue there with a colleague of mine is that when the two political parties polarize, they actually leave the center open in our politics, and that's -- again, we're forgetting that most of the American public, by the way, still resides -- considers themselves a moderate, they haven't polarized to the same degree that the political parties have in Congress.

And so if you look at the history of moderate independent candidates to the House and the Senate, who have successfully been elected, 89 percent of the minor party and independent candidates who have been elected since the Civil War were

moderates, 89 percent of them, all right.

And so what is a common pathway in which these independents and minor party candidates come into office? They're much like the La Follette Brothers, who were the sons of the famous La Follette who ran for president under the Progressive label, they were both a governor and senator of Wisconsin, Republicans. Phillip, their governor, lost his primary to, you know, I guess the forerunners of the America First Movement. The Stewards in Wisconsin, two years later, he and his brother formed the Wisconsin Progressive Party and ran successfully for U.S. Senate and governor under the Progressive Party label for the next three terms for the senator.

So, yeah, when the parties polarize, when they force their moderates out of their party, a rationale response for Chris Lieberman, Chaffe, who's running for governor up in Rhode Island, Murkowski out in Alaska, the rational response for them is to run as an independent.

And here's the bad news, if you don't like polarization, we have a long ways to go in terms of polarization. We're no where near the levels of polarization that we were at the end of the 19th century, early 20th century. So these candidates that we're seeing today may just be the canaries in the coal mine.

MR. DIONNE: Just very quickly, I want to just say three quick things. One, if you look at how the Tea Party has won its victories, it's gotten an awful lot of traction with rather small numbers. Christine O'Donnell got 30,000 votes in the Republican primary; because of the succession of moderates from that party, that was enough to win. Joe Miller in Alaska, 55,000 votes; 85,000 people, which is a small number in a country this big had an enormous -- in fact, Ran Paul got 200,000 votes in a state with, as I recall, 2.9 million registered voters, so that's A.

B, we have always had 5 to 10 percent of us who are pretty far on the right in America. We've always had a solid 20 to 25 percent who are very, very conservative. And I think that the Tea Party is that traditional conservatism with the added benefit of Fox News and social networking.

And so it looks new because of the technology, but it's just a really long running tendency. And the specific answer on the Ran Paul poster, Norman, is that people who support ideological or philosophical insurgents in presidential elections, keep their signs longer. You and I are old enough to remember all of those Gene McCarthy daisies on Volkswagens that were there forever after the 1968 campaign. Let's do another quick round and then Bill will come back on the Tea Party.

This gentleman here, and I want to -- this gentleman here, then this gentleman over here, if we could bring the second mic over there just to keep it moving quickly.

Go ahead. And then a woman in the back, you'll be next.

SPEAKER: Jim, I'm a reporter from Singapore. I was wondering if the panel could venture to talk a little about the potential foreign policy implications of the upcoming midterms, you know, how would a further divided Congress and a potential weakening of President Obama's ability to get his agenda true effect his ability to deal with say global trade issues, China, I was wondering if the panel could address that.

Thank you.

MR. DIONNE: This crowd asks great questions. This gentleman here, and then if somebody could -- yeah, and then that lady, yeah, right there with the white shirt. Put your hand way up so she can bring it to you. Go ahead.

SPEAKER: One of the accusations over this last congressional session

of the Senate majority leader was that he was filling up the amendment tree and kind of locking progression in the Senate in that sense. So I guess my broader question is, what does that exactly mean and what does it mean about filibuster reform in the upcoming congressional session? It talked a little bit about we're such a -- and filibusters at these last couple of years, what does it mean for the future of Congress and how we're going to be able to get anything done in such a bitterly partisan Congress?

MR. DIONNE: Thank you. Only really knowledgeable people talk about the amendment tree. Go to a Senate horticulturalist. Ma'am, and then the gentleman in the back, go ahead.

SPEAKER: Can you talk a little bit about the upcoming lame duck session and sort of the dynamics of the lame duck session as it relates to the outcome of the election? And I've heard reportedly that several senators might be seated immediately as a result of some of these special elections. Can you talk a little bit about how, especially in the Senate, how that might effect upcoming legislation that's still on the docket, a lot of tax legislation, extenders, extension of the Bush tax cuts, the state tax, maybe just discuss a little bit about how things might have changed from, you know, before the November elections and after.

MR. DIONNE: And then that gentleman was waving his hand. If you can ask a quick question, sir.

SPEAKER: Well, there were three topics which I had hoped that Michael McDonald --

MR. DIONNE: -- this is a legendary political journalist from CBS News.

SPEAKER: There were three topics which I was hoping Michael McDonald would address, one is the arm -- the amount of arm twisting that needs to be

done in order to persuade incumbents with safe seats to surrender some of that safety for the good of the party. The other is the continuing existence of the connection between the Republican Lawyer's Association and the National Association for the Advancement of Colored People, and three, the impact of *Ashcroft v. Georgia*.

MR. DIONNE: Thank you, Marty. You just heard, by the way, from the inventor of the exit poll, so that if you get your good or bad news early on election night, it's because of Marty. Who wants to start on this?

MR. McDONALD: Do you want me to address those questions?

MR. DIONNE: Yeah.

MR. McDONALD: Since I also work in the quarantine room these days over at Edison Media Research, so I benefit quite good from those exit polls in my time, so I'm also calling the election results on election night. So I absolutely agree with you that there's going to be this fascinating dynamic between the incumbents and these freshmen who are going to be elected out of these competitive seats, and are they going to be willing to give up their electoral security, which they tend to do. And if you look over the long history of redistricting, you do see this strategic dynamic in play where the safe incumbents are willing to give up some of their safety to their less safe brothering.

But we're in this unprecedented, well, not unprecedented, but high level of volatility, and so will they be willing to do that, and I don't know, we're just going to have to watch.

And the other dynamic, too, is just the degree in which the Republicans are capable of winning races. I mean for them to win, they're going to have to win every seat except the voting rights districts down in Florida. They're going to have to win every seat except for voting rights districts in Texas. They're going to have to win every seat

that's up for grabs except a few heavy Democratic districts in Pennsylvania. They're going to have to win every seat except for some Democratic voting rights districts in Illinois. So there's just not going to be a lot of Republicans left in Illinois or Florida or some of these other states to spread around and get their safety up. So it's going to be this real fascination dynamic where those with the halves, will they give to those with the not so much halves. Ashcroft versus Georgia, boy, there's been a lot of ink spilled on that and on --

MR. DIONNE: Fifteen seconds for -- I'm familiar with *Ashcroft v. Georgia*.

MR. McDONALD: I know, and Ashcroft -- oh boy, I can't even do it. You know, it's --

MR. DIONNE: Sounds like --

MR. MCDONAD: The race is going to be very difficult. And just to pick up what E.J. was saying, there's this interesting dynamic where the urban core -- the children of the urban core have been moving out into the suburbs, that has a lot to do with this changing dynamic of the suburbs. It's going to be difficult to draw on minority voting rights districts in some states to the same degree that we've had in the past.

And it's not so much Ashcroft, it's Bartlett is the one to really look at, where the Supreme Court said you have to have 50 percent or more voting age population or citizen voting age population potentially in order to draw a minority district. And so that's -- it's going to be very difficult I think in some instances, but not all, to draw these voting race districts.

SPEAKER: Isn't the Republican Lawyer's Association a major player in all of this?

MR. GALSTON: Yes, and so this -- previously it's helped Republicans to pack in as many Democrats as they can and to save Democratic districts as part of an effective gerrymandering strategy. Still, Republicans are now disadvantaged because they could do better in a state like Georgia or Texas if they just completely gerrymandered up the minority communities.

And so I expect that we're going to see a challenge to the voting rights potentially coming out of Georgia, less so out of Texas, but I think Georgia is going to put a chit on the table and see what the Supreme Court will say about it.

Let me take a crack at the foreign policy question. As people say in Washington, I'm glad you asked, because I actually think that the next year, 2011, is going to be a real moment of truth for the administration and the United States and a whole bunch of areas. You mentioned China, I mean it's clear that the pressure is being ratcheted up, the controversy over currency valuations is proxy for tectonic plate energy that's building up along the scene between the United States and China, because if the economic relationship is not rebalanced fundamentally on both sides, then, you know, serious trade and economic and I would argue military and diplomatic frictions are going to be very hard to avoid.

And the second obvious observation is that what Zbigniew Brezinski called, you know, the arc of crisis, you know, that starts at the Mediterranean, goes all the way over to the Indian border.

So many of those issues will be coming to a head. You can see what's happening to Israeli/Palestinian peace negotiations. It is pretty obvious that our strategy in Afghanistan is an incomplete success and not likely to become significantly less incomplete, which will pose some fascinating both substantive and political challenges for

the administration.

And you can already see Democrats, rather Republicans, preparing an argument based on Bob Woodward's book to the effect that strategy in Afghanistan has been governed more by political than military considerations, that could become a pretty tough argument. Events in Iraq are not moving in our favor. The formation of a government that recapitulates old sectarian divisions is not exactly good news for American interest. And I haven't even mentioned Pakistan yet. So to sum up, this is a period in which unified purposeful American foreign policy is going to be absolutely critical, but where partisan divisions could conceivably undermine the possibility of a unified and purposeful foreign policy.

Just a word on the Tea Party, and I'm not sure whether I'm agreeing or disagreeing with Michael on this point, but I do want to state my views as clearly as I can. The Tea Party is a conservative insurgency within the Republican Party. Think Goldwater, not Perot, not progressivism.

These people, by and large, are not independents, they are in no way moderates. They may be opening up a space within which moderates can play a different game as independent candidates, or perhaps even as party switchers, but there is very little analogy that I can see between the Tea Party movement and the Perot movement. And so if you have to choose a historical paradigm as an analogy, Goldwater, not Perot, is a much better fit for the Tea Party, in my opinion.

MR. DIONNE: I agree with that. I want to put one footnote on Bill's foreign policy question. I think one of the interesting questions for the next few years is, what are the foreign policy views of Tea Party and this sort of new right within the Republican Party? Because I think you could see opening up an old and traditional

Republican debate between interventionists and non-interventionists. And I think there's a lot of non-interventionist sentiment on that particular right of the Republican Party.

If you notice, Republicans voting against Afghanistan ticked up to nine. I think those nine actually are proxies for another probably couple of dozen Republicans who might have voted the other way on that. I think there's going to be a really interesting debate within the Republican Party on foreign policy in the next two to four years. And I turn it to Tom.

MR. MANN: I also agree with Bill on the Tea Party. This is a conservative insurgency within the Republican Party. And another example, as well as Goldwater, you could point to the opposition of Franklin Roosevelt during the New Deal and before it.

Just a couple of footnotes on foreign policy. The argument should be that a Republican majority in the House would boost prospects for free trade agreements, especially with Korea, because Boehner and his top aide now, Barry Jackson, are outspoken supporters of these agreements.

The problem is, the people coming in don't share those sentiments. In fact, if you look at public opinion surveys, the rank-and-file Republicans are less supportive of free trade than rank-and-file Democrats, so it's just the flip of what you see in Congress.

Nonetheless, as Bill was suggesting in a conversation earlier, the coalition to support this would be a chunk from both parties, Democrats because of loyalty to Obama, and Republicans because there's still some left who believe in it. So I think there's a reasonable chance of getting -- if an agreement is reached with Ford on some side agreements on autos, then I think it'll get done.

On China, I think you've got support in both parties for a more aggressive stand economically, just expect it, that's coming, and it's reinforced by other security developments in East Asia and South Asia that's leading, you know, South Korea and Japan and Vietnam and other countries to look to the U.S. for assistance in sort of dealing with China. So I think our relations are going to be a little tenser there, but I don't see a big partisan divide developing there. Just a final note on the lame duck, I honestly don't think anything will get done except the two things that have to be done, which is another continuing resolution on appropriations to keep the government going, and something on extending some parts of the tax cuts.

And in the case of the state tax reestablishing a provision, I think they'll end up negotiating something on both that will be satisfactory to Obama. And you may get E.J.'s idea of changing the category so that the only increase is on people with even higher incomes than 250,000, but probably a temporary move.

In general, this is, you know, the New Start Treaty ought to come up, it's of enormous importance, but until John Kyl decides that it's the responsible thing to do, until Lugar can produce, you know, 15, 25 Republicans, it's not going to happen.

And the other thing to remember is, the filibuster is alive and well during a lame duck, and so anything that Jim DeMint objects to, there's probably not going to be enough time to vote cloture and get it done.

MR. DIONNE: And finally, Sarah, on lame ducks and amendment treaties, I presume the lame ducks are kind of wandering around the amendment treaties.

MS. BINDER: From the global to the obscure primary features. Just very quickly, what is an amendment tree? I think of the bill as the trunk of the tree, the amendments are the branches and the twigs and the limbs, and there are only so many

branches you can apply or amendments or you can have, and they come in certain forms and numbers and shapes and sizes, and when their leader fills up another tree, he takes those all -- he takes all the opportunities that's recognized first and he throws them up with completely obscure, inconsequential amendments, like instead of the bill being effective on October 1st, the bill will be effective on October 2nd.

So you can imagine that the minority party members don't like it when leaders fill the tree, but you can see why leaders fill the tree if they're anticipating Jim DeMint coming in and offering, or even a more moderate amendment coming up and undermining what the majority wants to achieve. So why is it important? It's only important because it's emblematic of this procedural arms race between the two parties and the Senate to try to, from the majority's point, try to push an agenda, from the minority's point, try to block it or amend it or change it. And we see -- we all focus on numbers of cloture votes, but that's the tip of the iceberg, right, they've been objecting to the unanimous consent agreements, the majority has been negotiating 60 vote agreements, there are all sorts of ways in which this arms race plays out.

And most importantly or perversely, both sides anticipate that the other side is going to use whatever they can and invent new ways, and so everybody gets ratcheted up and up and up, and -- the treaty is just one more example.

What does it pretend for filibuster reform, going back to E.J.'s earlier question? Think of it this way, what are the conditions that bring us real reform in the Senate? One was World War I that got you the cloture rule.

MR. MANN: We're not so pessimistic we think that's going to happen, that's good.

MS. BINDER: And why were there one? Because the President was

able to fuse the policy with the procedure. In the period of polarized parties, it's not going to be health care reform, it's not going to be immigration reform, the issues aren't out there where a sufficient, you know, two-thirds, three-quarters majority are going to go up in arms and burn senators, like they did in 1970 to get cloture reform, I don't see that happening again. And I'm also good at predictions, but that one seems pretty clear.

The other condition that brings you reform tends to be when both political parties get so bummed out by how their fellow colleagues are abusing the process that enough people come together to say this is crazy and we need to stop and reconsider.

And they might think they've reached that -- and I think there are majority members who feel their own agendas are being undermined perhaps by some of their own colleagues. But in the end, it used to be that minority leaders would reign in, right. Jesse Helms in the end would back down when Howard Baker said enough is enough, it's time to play. That's a -- it is not happening, and the question is, does that provoke enough members to go for reform?

It's possible, but if I look out over the shape of the -- it doesn't seem to me that there's certainly not 51 Democratic votes for reform. What happens if Republicans gain control of the Senate? My guess is, we'll see a replay of '95, when they regain control, and there's a Harkin-Lieberman proposal on the floor, there's a vote in every single majority party, Republican senator voted against filibuster reform. And -- I think they want their own agenda sort of eaten up in the first weeks of winning that control over filibuster reform, and I think it' s just not the time and place.

And if you're a divided government, right, it's not like they want to do away with judicial filibusters to put Obama's nominees on the page, right, and so divided government I think messes up the majority's calculations -- majorities, if they're shrunken,

you think, wow, we need the reform more than ever, they should say to themselves, but they'll probably want it less. Why? Well, look, you can -- they'll be a little spooked out about losing control when they're going to want to hold onto the filibuster.

And even if they're not worried about reform, even if they think about their current concerns, the majority of party member themselves really don't want to give up the reigns of power, right. Thank about Mary Landrieu blocking, like the OMB director, from confirmation. I have a Democratic senator who's doing that. And so both parties, unless they're -- of the heat of their own agendas being harmed by the filibuster, I just don't see the prospects for reform.

MR. DIONNE: Well, thank you very much. I want Sarah as my professor. That was a very good explanation real fast. And I want to apologize, by the way, to friends here on my right, say hello. I've to run out and teach a class myself after this is over, so I will be running out.

I'm just going to close with what has become my favorite new joke, even though it's a very, very old joke. It was a *New Yorker* cartoon during Watergate, and one senator looks at another senator and says: My instinct is to do the cowardly thing, but I can't figure out what it is.

And I do and touch it on a certain moment that it's, again, unclear what that is. I commend our panel for not doing the cowardly thing at all, but you can recall that none of us has to face the voters. Thank you all very, very much.

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